



**US Army Corps
of Engineers®**

Nashville District

Public Notice

Public Notice No. **02-59**

Date: **September 11, 2002**

Application No. **200201528**

Please address all comments to:
Nashville District Corps of Engineers, Regulatory Branch (Attn: Floyd M.

Carnes)

3701 Bell Road, Nashville, TN 37214

**JOINT PUBLIC NOTICE
US ARMY CORPS OF ENGINEERS
TENNESSEE VALLEY AUTHORITY
STATE OF ALABAMA**

SUBJECT: Proposed Wetland and Stream Fill Required to Add Lanes to State Route 157, Morgan County, Alabama - ADOT Project No. DBAAF-398(48)

TO ALL CONCERNED: The project described below has been submitted for a Department of the Army (DA) permit pursuant to Section 404 of the Clean Water Act (CWA), a Tennessee Valley Authority (TVA) permit pursuant to Section 26a of the TVA Act, and a state of Alabama water quality certification pursuant to Section 401 of the CWA. Before any federal permit can be issued, the state must certify that applicable water quality standards will not be violated. By copy of this notice, the applicant hereby applies for the required certification.

APPLICANT: Alabama Department of Transportation
1409 Coliseum Boulevard
Montgomery, Alabama 36130

DESCRIPTION: The proposed work is the third segment of a 26-mile stretch of improvements to State Route (SR) 157. Two-lanes and a 64' median is proposed alongside the north side of the existing two-lane highway. A DA permit for the first segment (7 miles) was issued in September 2001. The DA permit for the second segment (4.4 miles) was issued in July 2002. This segment, the third, is approximately 7.8 miles long. The project would involve impact to about 2.56 acres of wetlands and 0.83 acres of streams, as described on page 2 of this notice. The applicant proposes to mitigate the impacts of the work by purchasing 2.56 credits at the Jackson County Mitigation Bank and 0.83 acres of stream restoration. Each credit is equivalent to 3 wetland acres, thereby giving a 3:1 ratio.

The purpose of this project is to provide a safe and efficient transportation facility to meet existing and project future traffic demands. SR 157 is a major transportation route connecting Cullman, Moulton, and Florence, AL.

LOCATION:

- Site 1 (0.01 Acre Stream Impact) Culvert Extension -121' long x 3' wide
Unnamed Tributary of Herrin Creek
Lat: 34-19-25.8/Long: 87-00-5.3 (Massey, AL Quad)
- Site 2 (0.01 Acre Stream Impact) Culvert Extension - 112' long x 3' wide
+ 66' of Riprap
Unnamed Tributary of Herrin Creek
Lat: 34-19-45.2/Long: 87-00-7.6 (Massey, AL Quad)
- Site 3 (0.24 Acre Stream Impact) Culvert Extension - 210' long x 30' wide
+ 138' of Riprap
(0.3Acre Wetland Impact) Wetland Fill
Herrin Creek
Lat: 34-19-45.2/Long: 87-00-22.7 (Massey, AL Quad)
- Site 4 (0.05 Acre Stream Impact) Culvert Extension - 118' x 8"
+ 154' of Riprap
Unnamed Tributary of Herrin Creek
Lat: 34-20-0.0/Long: 87-00-49.7 (Massey, AL Quad)
- Site 5 (0.02 Acre Stream Impact) Culvert Extension -125' long x 5' wide
+ 79' of Riprap
Unnamed Tributary of Witt Creek
Lat: 34-20-19.5/Long: 87-01-21.7 (Massey, AL Quad)
- Site 6 (0.04 Acre Stream Impact) Culvert Extension - 118' long x 13' wide
Jones Creek
Lat: 34-20-54.7/Long: 87-02-23.4 (Massey, AL Quad)
- Site 7 (0.02 Acre Stream Impact) Culvert Extension - 118' long x 8'wide
(2.16 Acre Wetland Impact) Wetland Fill
Orr Creek
Lat: 34-21-0.3/Long: 87-02-34.6 (Massey, AL Quad)
- Site 8 (0.02 Acre Stream Impact) Culvert Extension - 125' x 5'
+ 79' of Riprap
(0.1Acre Wetland Impact) Wetland Fill
Unnamed Tributary of Crowabout Creek
Lat: 34-21-39.7/Long: 87-03-42 (Massey, AL Quad)
- Site 9 (0.18 Acre Stream Impact) Culvert Extension -105' long x 40' wide
+ 95' of Riprap
Crowdabout Creek
Lat: 34-21-45.3/Long: 87-03-51.6 (Massey, AL Quad)

Site 10 (0.05 Acre Stream Impact) Culvert Extension - 105' long x 8' wide
+ 171' of Riprap
Wolf Branch
Lat: 34-22-3.3/Long: 87-04-23.6 (Massey, AL Quad)

Site 11 (0.02 Acre Stream Impact) Culvert Extension - 157' long x 5' wide
Unnamed Tributary of Wolf Branch
Lat: 34-22-19.6/Long: 87-04-50.5 (Massey, AL Quad)

Site 12 (0.11 Acre Stream Impact) Culvert Extension - 125' x 5'
Stream Relocation 804' x 4' section
Unnamed Tributary of Wolf Branch
Lat: 34-22-31.6/Long: 87-05-11.3 (Massey, AL Quad)

Site 13 (0.02 Acre Stream Impact) Culvert Extension - 108' long x 7' wide
Culvert Extension (80' x 30')
No Business Creek
Lat: 34-22-58.5/Long: 87-06-1.3 (Danville, AL Quad)

Site 14 (0.04 Acre Stream Impact) Culvert Extension - 138' x 7'
+ 131' of Riprap
Unnamed tributary of No Business Creek
Lat: 34-23-16.6/Long: 87-06-37.7 (Danville, AL Quad)

Plans of the proposed work are attached. Total wetland impact equals 2.56 acres and stream impact equals 0.83 acres.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources.

The benefit, which reasonably may be expected to accrue from the work, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the work, will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b)(1) of the CWA (40 CFR Part 230). A permit will be granted unless the District Engineer determines it to be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be

considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historical properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and determine the overall public interest of the proposed activity.

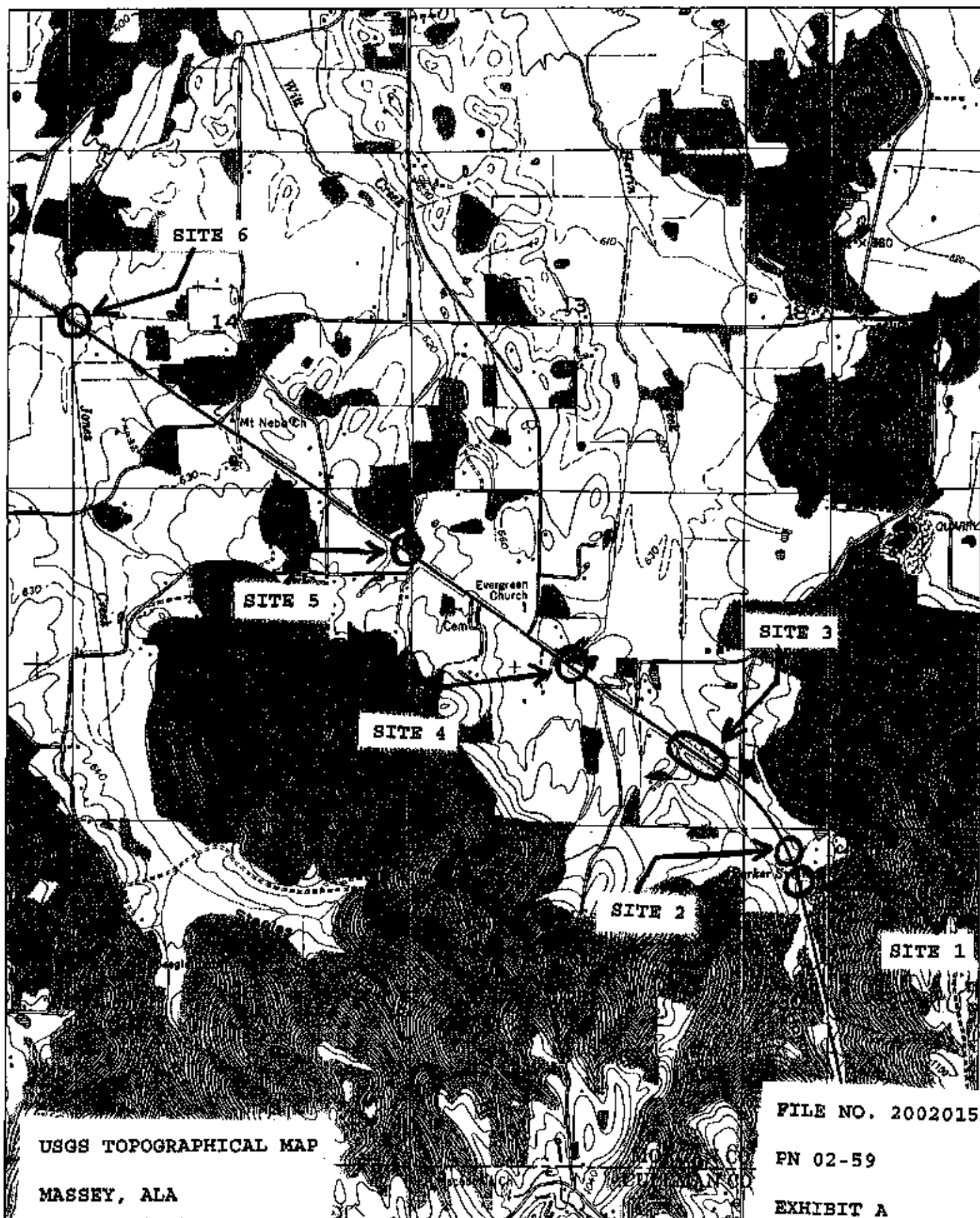
The US Department of Transportation (USDOT), Federal Highway Administration, prepared an EA with a finding of no significant impact (dated December 20, 1995) for the entire 26-mile segment of proposed highway work, of which this is a part. A copy of that EA and finding is available for review by contacting Floyd M. Carnes at (615) 369-7503. In accordance with the National Environmental Policy Act that document will be adopted provided no new information is brought to our attention during this comment period.

ADOT conducted a historic properties and archaeological survey in 1995 on the segment proposed for widening. That survey found that no properties listed in or eligible for the National Register would be affected by the proposed work. The findings of that survey have been published in the USDOT EA. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

Based on available information, the proposed work will not destroy or endanger any federally listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act, and, therefore, initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Other federal, state, and/or local approvals may be required for the proposed work.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for hearings shall state, with particularity, the reasons for holding a hearing. Written statements received in this office on or before October 11, 2002, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attn: Floyd M. Carnes, at the above address, telephone (615) 369-7503. It is not necessary to comment separately to TVA since copies of all comments will be sent to that agency and will become part of its record on the proposal. However, if comments are sent to TVA, they should be mailed to Mr. Tim Gilbert, Project Leader, P. O. Box 1010, Muscle Shoals, Alabama 35662, telephone (256) 386-2228.



SITE 12

SITE 10

SITE 11

SITE 8

SITE 9

SITE 7

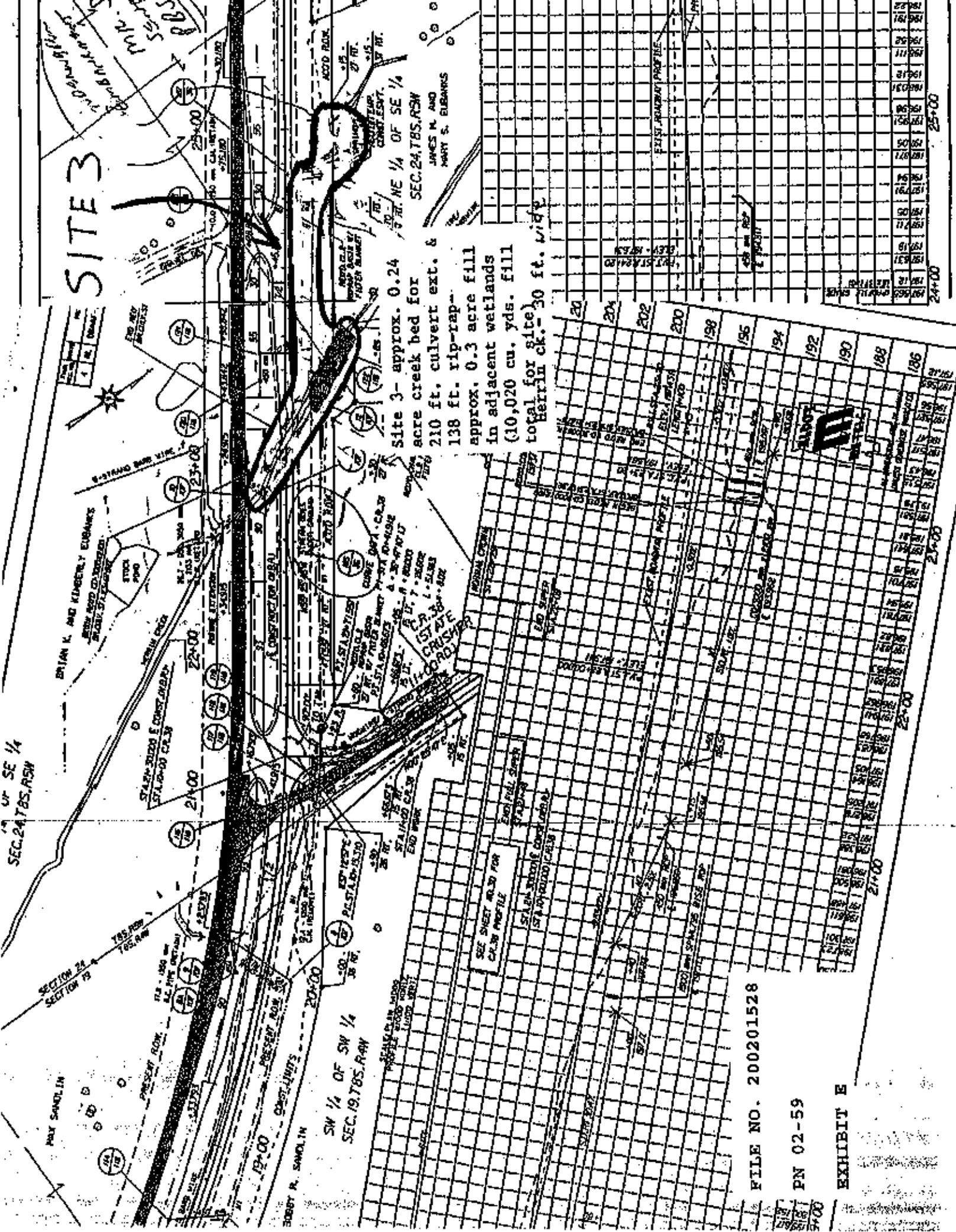
USGS TOPOGRAPHICAL MAP

MASSEY, ALA

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EXHIBIT B

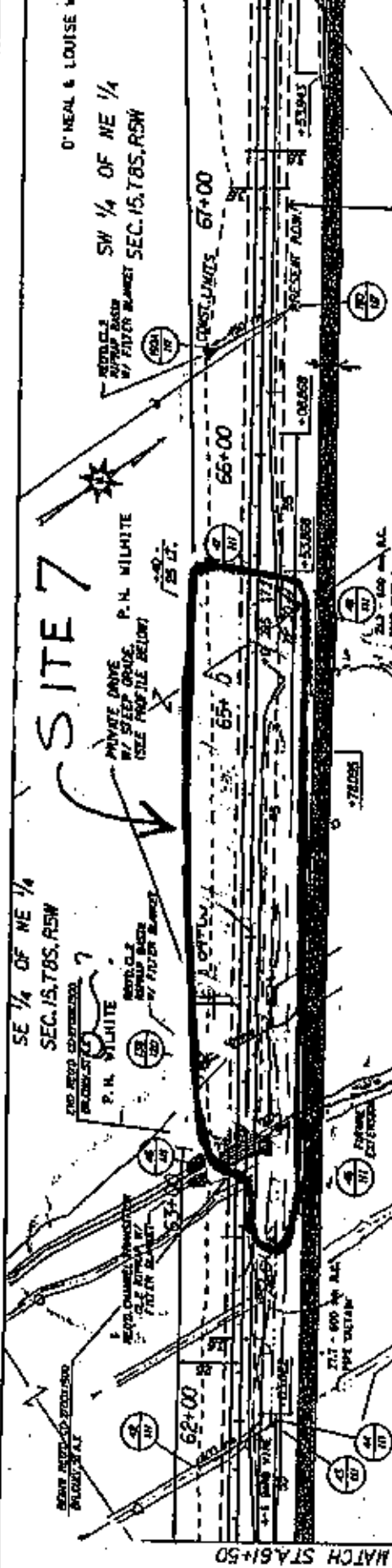


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EXHIBIT E

186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206
186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206



Site 7- Orr Creek & adjacent wetlands-
.02 acre creek bed for
118 ft. culvert ext. -
approx. 2.16 acres
fill in adjacent wetlands
(28,131 cu. yds. fill
total at site)
Orr Ck. is 8 ft. wide

200	189	188	187	186	185	184	183	182	181	180	179	178	177	176	175	174	173	172	171	170	169	168	167	166	165	164	163	162	161	160	159	158	157	156	155	154	153	152	151	150	149	148	147	146	145	144	143	142	141	140	139	138	137	136	135	134	133	132	131	130	129	128	127	126	125	124	123	122	121	120	119	118	117	116	115	114	113	112	111	110	109	108	107	106	105	104	103	102	101	100	99	98	97	96	95	94	93	92	91	90	89	88	87	86	85	84	83	82	81	80	79	78	77	76	75	74	73	72	71	70	69	68	67	66	65	64	63	62	61	60	59	58	57	56	55	54	53	52	51	50	49	48	47	46	45	44	43	42	41	40	39	38	37	36	35	34	33	32	31	30	29	28	27	26	25	24	23	22	21	20	19	18	17	16	15	14	13	12	11	10	9	8	7	6	5	4	3	2	1	0	-1	-2	-3	-4	-5	-6	-7	-8	-9	-10	-11	-12	-13	-14	-15	-16	-17	-18	-19	-20	-21	-22	-23	-24	-25	-26	-27	-28	-29	-30	-31	-32	-33	-34	-35	-36	-37	-38	-39	-40	-41	-42	-43	-44	-45	-46	-47	-48	-49	-50	-51	-52	-53	-54	-55	-56	-57	-58	-59	-60	-61	-62	-63	-64	-65	-66	-67	-68	-69	-70	-71	-72	-73	-74	-75	-76	-77	-78	-79	-80	-81	-82	-83	-84	-85	-86	-87	-88	-89	-90	-91	-92	-93	-94	-95	-96	-97	-98	-99	-100	-101	-102	-103	-104	-105	-106	-107	-108	-109	-110	-111	-112	-113	-114	-115	-116	-117	-118	-119	-120	-121	-122	-123	-124	-125	-126	-127	-128	-129	-130	-131	-132	-133	-134	-135	-136	-137	-138	-139	-140	-141	-142	-143	-144	-145	-146	-147	-148	-149	-150	-151	-152	-153	-154	-155	-156	-157	-158	-159	-160	-161	-162	-163	-164	-165	-166	-167	-168	-169	-170	-171	-172	-173	-174	-175	-176	-177	-178	-179	-180	-181	-182	-183	-184	-185	-186	-187	-188	-189	-190	-191	-192	-193	-194	-195	-196	-197	-198	-199	-200	-201	-202	-203	-204	-205	-206	-207	-208	-209	-210	-211	-212	-213	-214	-215	-216	-217	-218	-219	-220	-221	-222	-223	-224	-225	-226	-227	-228	-229	-230	-231	-232	-233	-234	-235	-236	-237	-238	-239	-240	-241	-242	-243	-244	-245	-246	-247	-248	-249	-250	-251	-252	-253	-254	-255	-256	-257	-258	-259	-260	-261	-262	-263	-264	-265	-266	-267	-268	-269	-270	-271	-272	-273	-274	-275	-276	-277	-278	-279	-280	-281	-282	-283	-284	-285	-286	-287	-288	-289	-290	-291	-292	-293	-294	-295	-296	-297	-298	-299	-300	-301	-302	-303	-304	-305	-306	-307	-308	-309	-310	-311	-312	-313	-314	-315	-316	-317	-318	-319	-320	-321	-322	-323	-324	-325	-326	-327	-328	-329	-330	-331	-332	-333	-334	-335	-336	-337	-338	-339	-340	-341	-342	-343	-344	-345	-346	-347	-348	-349	-350	-351	-352	-353	-354	-355	-356	-357	-358	-359	-360	-361	-362	-363	-364	-365	-366	-367	-368	-369	-370	-371	-372	-373	-374	-375	-376	-377	-378	-379	-380	-381	-382	-383	-384	-385	-386	-387	-388	-389	-390	-391	-392	-393	-394	-395	-396	-397	-398	-399	-400	-401	-402	-403	-404	-405	-406	-407	-408	-409	-410	-411	-412	-413	-414	-415	-416	-417	-418	-419	-420	-421	-422	-423	-424	-425	-426	-427	-428	-429	-430	-431	-432	-433	-434	-435	-436	-437	-438	-439	-440	-441	-442	-443	-444	-445	-446	-447	-448	-449	-450	-451	-452	-453	-454	-455	-456	-457	-458	-459	-460	-461	-462	-463	-464	-465	-466	-467	-468	-469	-470	-471	-472	-473	-474	-475	-476	-477	-478	-479	-480	-481	-482	-483	-484	-485	-486	-487	-488	-489	-490	-491	-492	-493	-494	-495	-496	-497	-498	-499	-500	-501	-502	-503	-504	-505	-506	-507	-508	-509	-510	-511	-512	-513	-514	-515	-516	-517	-518	-519	-520	-521	-522	-523	-524	-525	-526	-527	-528	-529	-530	-531	-532	-533	-534	-535	-536	-537	-538	-539	-540	-541	-542	-543	-544	-545	-546	-547	-548	-549	-550	-551	-552	-553	-554	-555	-556	-557	-558	-559	-560	-561	-562	-563	-564	-565	-566	-567	-568	-569	-570	-571	-572	-573	-574	-575	-576	-577	-578	-579	-580	-581	-582	-583	-584	-585	-586	-587	-588	-589	-590	-591	-592	-593	-594	-595	-596	-597	-598	-599	-600	-601	-602	-603	-604	-605	-606	-607	-608	-609	-610	-611	-612	-613	-614	-615	-616	-617	-618	-619	-620	-621	-622	-623	-624	-625	-626	-627	-628	-629	-630	-631	-632	-633	-634	-635	-636	-637	-638	-639	-640	-641	-642	-643	-644	-645	-646	-647	-648	-649	-650	-651	-652	-653	-654	-655	-656	-657	-658	-659	-660	-661	-662	-663	-664	-665	-666	-667	-668	-669	-670	-671	-672	-673	-674	-675	-676	-677	-678	-679	-680	-681	-682	-683	-684	-685	-686	-687	-688	-689	-690	-691	-692	-693	-694	-695	-696	-697	-698	-699	-700	-701	-702	-703	-704	-705	-706	-707	-708	-709	-710	-711	-712	-713	-714	-715	-716	-717	-718	-719	-720	-721	-722	-723	-724	-725	-726	-727	-728	-729	-730	-731	-732	-733	-734	-735	-736	-737	-738	-739	-740	-741	-742	-743	-744	-745	-746	-747	-748	-749	-750	-751	-752	-753	-754	-755	-756	-757	-758	-759	-760	-761	-762	-763	-764	-765	-766	-767	-768	-769	-770	-771	-772	-773	-774	-775	-776	-777	-778	-779	-780	-781	-782	-783	-784	-785	-786	-787	-788	-789	-790	-791	-792	-793	-794	-795	-796	-797	-798	-799	-800	-801	-802	-803	-804	-805	-806	-807	-808	-809	-810	-811	-812	-813	-814	-815	-816	-817	-818	-819	-820	-821	-822	-823	-824	-825	-826	-827	-828	-829	-830	-831	-832	-833	-834	-835	-836	-837	-838	-839	-840	-841	-842	-843	-844	-845	-846	-847	-848	-849	-850	-851	-852	-853	-854	-855	-856	-857	-858	-859	-860	-861	-862	-863	-864	-865	-866	-867	-868	-869	-870	-871	-872	-873	-874	-875	-876	-877	-878	-879	-880	-881	-882	-883	-884	-885	-886	-887	-888	-889	-890	-891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SW 1/4 OF NW 1/4
SEC. 9, T8S, R5W

STEP 10

WATCH STA. 99+00

PLATE 2

DEBORAH F. BARNETT

NW 1/4 QF NW 1/4
SEC. 9, T8S, R5W

SSite 10- Wolf Br.
.05 acre trib. bed
for 105 ft. culvert ext
& 171 ft. rip-rap
(818 cu. yds. fill)
trib is 8 ft. wide

SE 1/4 OF NW 1/4
SEC 9 T8S R5W

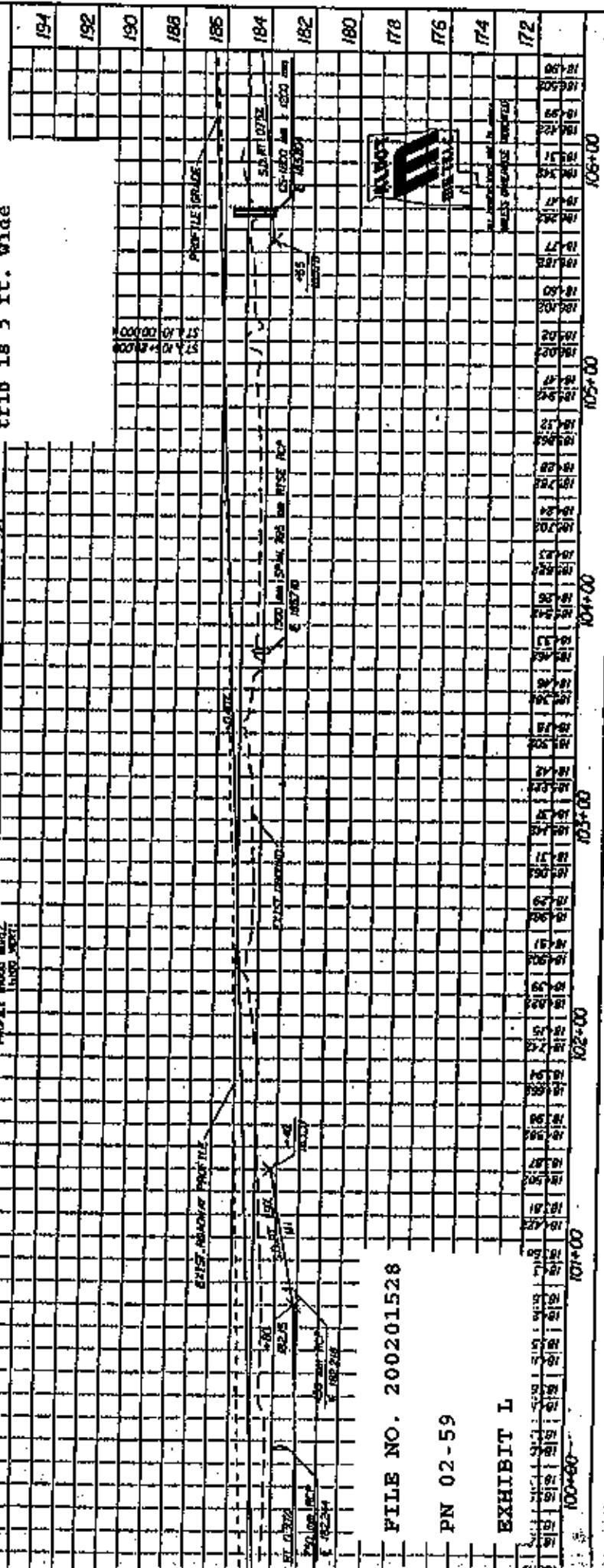
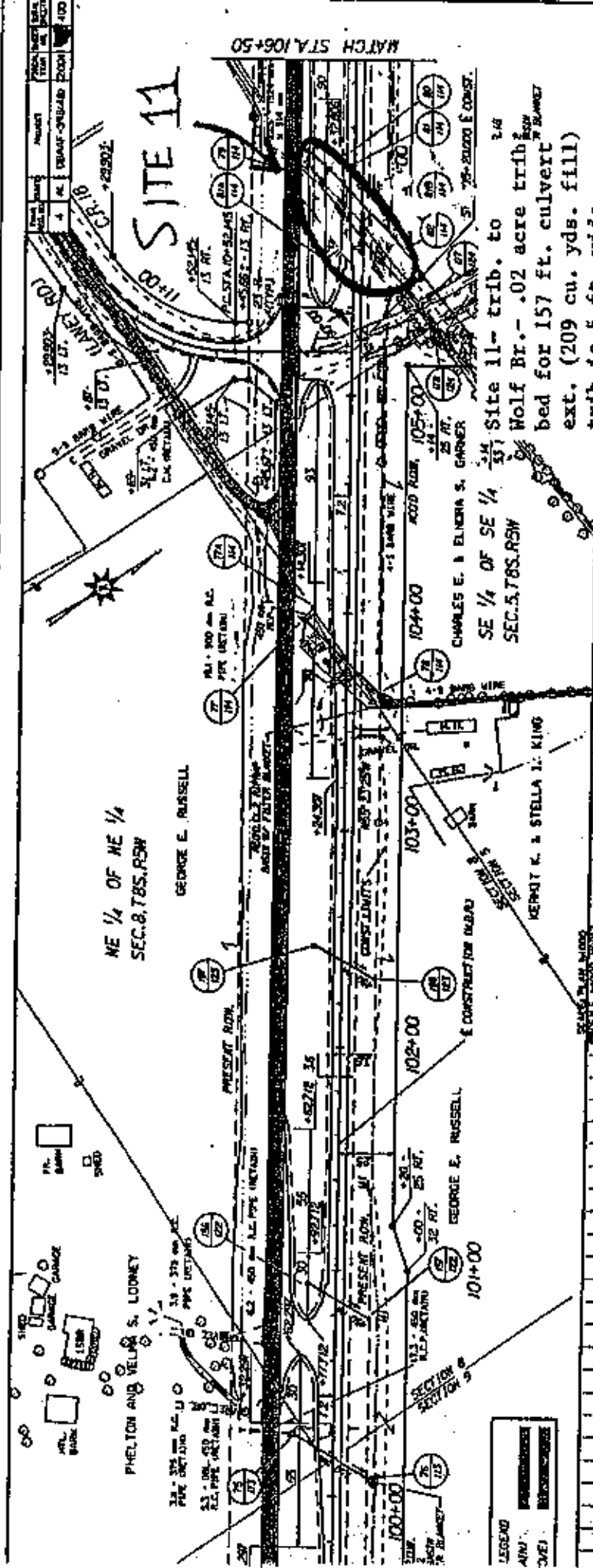
PAVEMENT LEGEND
PLACE PAVEMENT (RETAIN)
PLACE PAVEMENT (REMOVE)

FILE NO. 200201528

PN 02-59

EXHIBIT K

[illegible]



FILE NO. 200201528

PN 02-59

EXHIBIT I

100+60

101+00

102+00

103+00

104+00

105+00

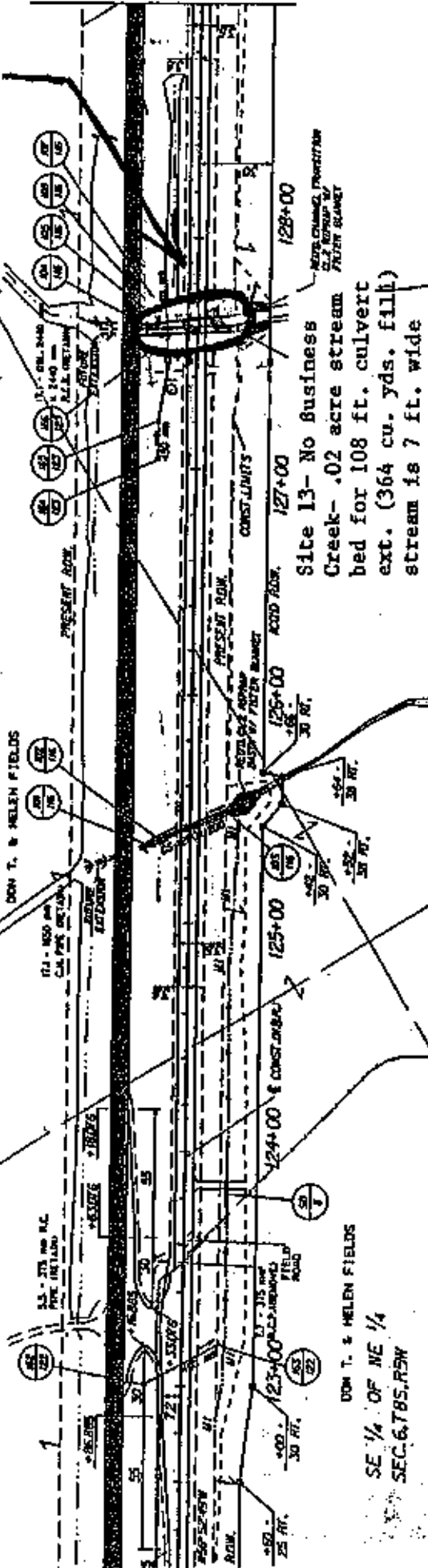
106+00

SW 1/4 OF NE 1/4
SEC. 5, T8S, R5W

PAYMENT LESSOR
IN PLACE PAYMENT ORIGIN
IN PLACE PAYMENT ORIGIN

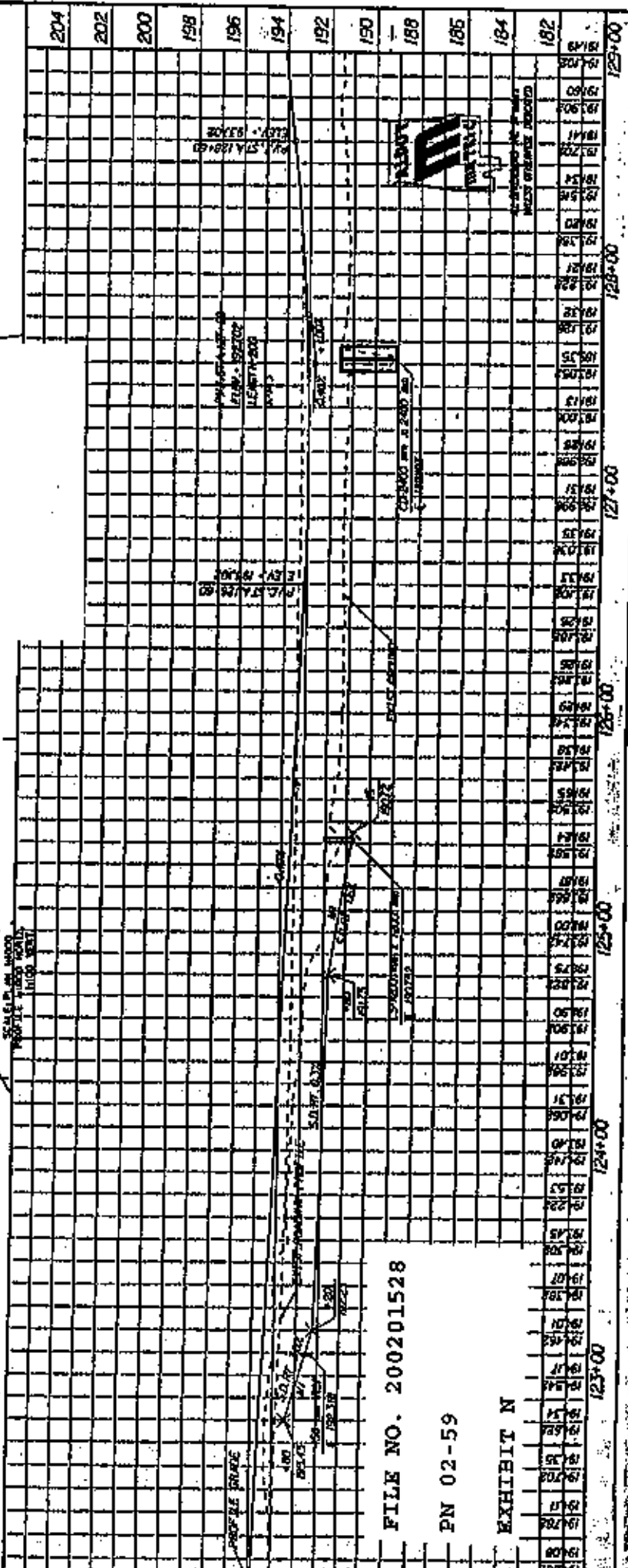
SITE 13

MATCH STA 128+00



Site 13- No Business Creek- .02 acre stream bed for 108 ft. culvert ext. (364 cu. yds. fill) stream is 7 ft. wide

DOWN T. & HELEN FIELDS
SE 1/4 OF NE 1/4
SEC. 6, T8S, R5W



FILE NO. 200201528

PN 02-59

EXHIBIT N

